THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 15137 OF 2006

DATED 24-07-2006

BETWEEN:

T.Kataksham

.. Petitioner

The Visakhapatnam Municipal Corporation
Rep.by its Commissioner, Visakhapatnam

.. Respondent

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 15137 OF 2006

ORDER:

Heard the learned counsel on record.

2. The writ petition is filed for a writ of mandamus declaring the action of the respondent in interfering with the peaceful possession and enjoyment of house bearing No.54-17-99, Bhanu Nagar, H.B.Colony, Visakhapatnam situated in Plot Nos.51 and 52 in Sy.No.46/1 of Maddilapalem, Visakhapatnam as highly arbitrary, illegal, in violation of Article 21 of the Constitution of India and consequently direct the respondent not to interfere with the same and to pass such other suitable orders.

3. It is stated that prior to the taking of the proposed action no notice had been served. Several factual details had also been narrated. Inasmuch as the respondent had been to follow the due procedure before initiating any action, the writ petition is disposed of with a direction to the respondent not to disturb the possession of the petitioner unless and until they follow the due process of law.

4. With the above direction, the writ petition is disposed of. No order as to costs.

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24-07-2006

Note: Issue cc in 3 days

B/o kvrm